

### **REMARKS**

Claims 5 to 8 are in the application, wherein claims 6 to 8 are rejected under 35 U.S.C. §102(b) as anticipated by Rogalski, et al., and claim 5 is rejected under 35 U.S.C. §103(a) as unpatentable over Rogalski, et al., taken in view of Kawajiri, et al. The comments made in the Office Action concerning the application of these references against the claims have been considered and, pursuant thereto, the claims of the application are amended to an extent that claim 5 is canceled and the subject matter thereof is combined with that contained in claim 8. As a result of this amendment, all of the claims now in the application specifically require: 1) that the plug transfer member 62 of the delivery means is moveable through the delivery opening 34 of the plug chute 35; and 2) that the suction face 73 of the plug transfer member 62, which opposes the path of movement of the projection 61 on anvil 33, is formed as an inclined surface so as to gradually approach the path of movement of the projection from the upstream side to the downstream side thereof (see application Figs. 5(a) through 5(d)), wherein the distance between the clamping face 32 of the anvil 33 and the path of movement of the projection 61 thereon on the downstream side is substantially equal to the height of a plug G.

The advantage derived from the foregoing structural features of the claimed invention which are totally absent from the devices described in either of the Rogalski, et al. or the Kawajiri, et al. references, regardless of whether these references are considered alone or together, is as explained in the specification from page 10, line 7 to page 11, line 2.

U.S. Patent Application Serial No. 10/046,185  
Amendment dated August 16, 2004  
Reply to Office Action of May 24, 2004

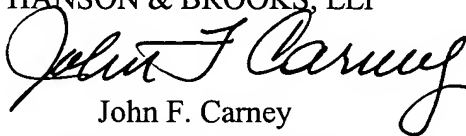
For the foregoing reasons, claims 6 to 8, as herein amended, are submitted as being clearly patentable over the prior art as applied in the Office Action and accordingly should be allowed. It is respectfully requested, therefore, that this Amendment be favorably considered and the application allowed.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP



John F. Carney  
Attorney for Applicant  
Reg. No. 20,276

JFC/nrp  
Atty. Docket No. 020015  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



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